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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION**

14 CENGIZ SENDEL,
15 Plaintiff,
16 vs.

17 WELLS FARGO BANK, N.A., and
18 DOES 1 through 10, inclusive,
19 Defendant.

Case No. 5:16-cv-00205
Hon.
Courtroom

**NOTICE OF REMOVAL TO
FEDERAL COURT**

Action Filed: November 12, 2014

1 **TO THE CLERK OF THE UNITED STATES DISTRICT COURT OF**
2 **CALIFORNIA, AND TO ALL PARTIES AND THEIR ATTORNEYS OF**
3 **RECORD:**

4 PLEASE TAKE NOTICE that Defendant Wells Fargo Bank, N.A. (“Wells
5 Fargo” or “Defendant”) hereby removes the above-captioned action from the
6 Superior Court of the State of California, County of Riverside, to the United States
7 District Court, Central District of California, Eastern Division, based upon federal
8 question jurisdiction pursuant to 28 U.S.C. § 1331.

9 1. Defendants are named in a civil action filed on December 28, 2015, by
10 Plaintiff Cengiz Sengel (“Plaintiff”) in the Superior Court of the State of California,
11 County of Riverside, Case Number RIC1515342, entitled *Cengiz Sengel v. Wells*
12 *Fargo Bank, N.A.* (the “State Court Action”). Plaintiff asserts one claim in the State
13 Court Action against Defendant: (1) Violations of the Telephone Consumer
14 Protection Act, 47 U.S.C. Sections 227 et seq.

15 2. The first date on which any of the removing Defendants received a
16 copy of the initial complaint in the State Court Action was January 11, 2016,
17 following personal service on Defendant Wells Fargo Bank, N.A. This Notice of
18 Removal is timely under 28 U.S.C. § 1446(b) and Fed. R. Civ. P. 6(a)(3) because it
19 is filed on February 3, 2016, which is within 30 days from service on any defendant
20 with a copy of the initial complaint.

21 3. Defendants have not yet filed an answer or otherwise responded to
22 Plaintiff’s Complaint.

23 4. Removal to this district is proper because this is the district which
24 embraces the county in which Plaintiffs filed the State Court Action. 28 U.S.C.
25 § 1441(a).

26 5. Defendants are entitled to remove the State Court Action because this
27 Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be
28

1 removed to this Court pursuant to the provisions of 28 U.S.C. § 1441 because it
2 arises under the Telephone Consumer Protection Act, 47 U.S.C. §§ 227 *et seq.*

3 6. This Court has supplemental jurisdiction over all other claims asserted
4 by Plaintiffs pursuant to 28 U.S.C. § 1367(a) and 28 U.S.C. § 1441(c).

5 7. Pursuant to 28 U.S.C. section 1446(d), a copy of this notice of removal
6 with its attachments will be promptly served on Plaintiffs, and notice thereof will be
7 filed with the Clerk of the Riverside County Superior Court.

8 8. Pursuant to 28 U.S.C. section 1446(a), the pleadings and orders filed
9 with the Riverside County Superior Court in the State Court Action, and which are
10 within the possession of Defendants, are the summons and complaint, civil case
11 cover sheet, notice of department assignment, certificate of counsel, and a notice of
12 related case, are attached hereto as Exhibit A, and a Register of Actions is attached
13 as Exhibit B.

14 WHEREFORE, Defendants hereby remove Riverside County Superior Court
15 Case No. RIC1515342, to the United States District Court, Central District of
16 California, Eastern Division. Defendants pray that this Court assume jurisdiction
17 over the action and determine it on the merits.

18
19 DATED: February 3, 2016

SEVERSON & WERSON
A Professional Corporation

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22 By: /s/ Loren W. Coe
23 Loren W. Coe

24 Attorneys for Defendant
25 WELLS FARGO BANK, N.A.
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